SI Group
The Substance Inside

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Jeffery T. Morris, PhD
Deputy Director for Programs
Office of Pollution Prevention and Toxics
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001
Sent electronically to www.regulations.gov docket # EPA-HQ-OPPT-2016-0401

Re: SI Group Comments - EPA's Fees for Administration of TSCA

Dear Dr. Morris,

SI Group welcomes the opportunity to provide the U.S. Environmental Protection Agency (EPA) these comments on the Lautenberg Chemical Safety Act's (LCSA) requirement for the Agency to establish fees for the administration of TSCA. SI Group is a leading global developer and manufacturer of chemical intermediates, specialty resins and solutions that are critical to the quality and performance of countless industrial and consumer goods. SI Group has been operating for over 100 years, since 1906. We are headquartered in New York State with a local presence in 10 countries around the world, customers in over 90 countries, and with over 2,700 employees. Additionally, SI Group is a member of the American Chemistry Council (ACC) and the Alkylphenols & Ethoxylates Research Council (APERC), and also supports the comments being submitted by both of these organizations. We are committed to working with EPA to assist in the successful implementation of the new Act.

We respectfully request that EPA consider the following elements in proposing a rule on the TSCA fee program:

1. Fees for submissions, risk evaluations, and other Agency actions should reflect the level of effort required of EPA. EPA's Office of Pesticide Programs has established a fee-based evaluation program for pesticides under the Pesticide Registration Improvement Act (PRIA), which is much more complex than is needed for LCSA. However, significant effort went into calculating workload and appropriate fees for different actions under PRIA, and some of these learnings could be used as a model for determining level of work and associated costs under LCSA.

2. SI Group recognizes that the scope of a risk evaluation will determine which manufacturers or processors may be subject to section 6(b) fees. Only those manufacturers and processors with an interest in the substance, under the conditions of use under review, should be subject to the section 6(b) fee. We also request EPA consider a mechanism to address potential "free-riders" and late market entrants who

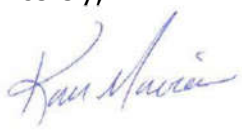
may take advantage of a risk evaluation without contributing to the data or the evaluation.

3. Manufacturers who request risk evaluations of a chemical substance under section 6(b)(4)(C)(ii) should only be assessed a fee with respect to the specific conditions of use identified in their request. EPA should, of course, retain the discretion to expand a particular risk evaluation beyond the conditions of use identified by the manufacturer or processor, but in such cases it is EPA, not the original requester, who should bear the burden of any additional costs associated with the expanded risk evaluation.

4. Data compensation should be considered for costs involved in both risk evaluations and data submitted in support of a chemical substance that EPA uses in its evaluations. EPA should look to the Chemical Data Reports (CDR) to determine all manufacturers and importers of a chemical substance in order to determine companies who may be subject to sharing data and evaluation costs. EPA should consider a mechanism to ensure all manufacturers share costs throughout the evaluation process, address potential "free-riders" and late market entrants, and protect manufacturers' investments in data development through an appropriate data compensation framework.

SI Group is committed to working with EPA for the successful implementation of the LCSA. Please contact me at 1.518.347.4152 or kari.mavian@siigroup.com if you have any questions or would like to discuss further.

Sincerely,



Kari Mavian
Senior Director – Regulatory Affairs